

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

HUNTAIR, INC.	)	
	)	
	)	
Plaintiff,	)	Case No. 07 C 6890
	)	
vs.	)	The Honorable David H. Coar
	)	
CLIMATECRAFT, INC.	)	Magistrate Judge Morton Denlow
	)	
Defendant.	)	

**HUNTAIR, INC.'S MOTION TO STRIKE CLIMATECRAFT, INC.'S FOURTH  
AFFIRMATIVE DEFENSE AND TO DISMISS CLIMATECRAFT, INC.'S THIRD  
COUNTERCLAIM**

Plaintiff Huntair, Inc. ("Huntair") hereby moves this Court to strike ClimateCraft, Inc.'s ("ClimateCraft") Fourth Affirmative Defense concerning inequitable conduct and to dismiss ClimateCraft's Third Counterclaim concerning inequitable conduct under Fed.R.Civ.P. 9(b), 12(b)(6) and 12(f). In support of this motion, Huntair submits a Memorandum of Law which is incorporated herein by reference.

WHEREFORE, Huntair respectfully requests that this Court strike ClimateCraft's Fourth Affirmative Defense and dismiss ClimateCraft's Third Counterclaim.

Dated: May 20, 2008

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that on the 20th day of May, 2008, I caused a copy of the foregoing document to be served by ECF upon:

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